



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MYERS BIGEL SIBLEY & SAJOVEC
PO BOX 37428
RALEIGH NC 27627

COPY MAILED

OCT 04 2004

OFFICE OF PETITIONS

In re Application of :
Song, et al. : DECISION GRANTING
Application No. 10/775,016 : PETITION
Filed: February 9, 2004 :
Attorney Docket No. 5649-1257 :
For: FERROELECTRIC MEMORY DEVICES
WITH IMPROVED FERROELECTRIC
PROPERTIES AND ASSOCIATED METHODS
FOR FABRICATING SUCH MEMORY DEVICES

This is a decision on the petition under 37 CFR 1.10(c), filed September 17, 2004 (certificate of mailing date September 8, 2004), requesting that the above-identified application be accorded a filing date of February 9, 2004 rather than the presently accorded filing date of February 10, 2004.

Petitioners request the earlier filing date on the basis that the application was deposited in Express Mail service of the United States Postal Service (USPS) on February 9, 2004, pursuant to the requirements of 37 CFR 1.10. The petition is accompanied by a copy of Express Mail label no. EV353593034US showing no "date-in" and a USPS date stamp of FEB 9 2004. The same Express Mail label number is listed on the original transmittal letter found in the application file.

The evidence presented establishes that the Express Mail package associated with Express Mail label no. EV353593034US was deposited with the USPS on February 9, 2004.

Accordingly, the petition is granted.

No fee has been or will be charged in connection with this petition.

The application is being returned to the Office of Initial Patent Examination for correction of the filing date to **February 9, 2004**.

Any inquiries related to this decision should be directed to the undersigned at (571) 272-3230.

E. Shirene Willis
Petitions Attorney
Office of Petitions